

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANTHONY BUSSIE,
Petitioner,

v.

JANET YELLEN,
Respondent.

Case No. [21-cv-03054-KAW](#) (PR)

ORDER OF TRANSFER

Petitioner, a civil detainee housed at the Federal Medical Center in Butner, North Carolina, filed a petition under 28 U.S.C. § 2241. Petitioner was convicted and sentenced in the Eastern District of North Carolina. The Federal Medical Center is located in the Eastern District of North Carolina. Although the petition is difficult to understand, it appears that Petitioner seeks release from custody and is challenging the rulings in the prisoner class action, *Scholl v Mnuchin*, Case Number C 20-5309 (PJH) (N.D. Cal.).

Section 2241 allows “the Supreme Court, any justice thereof, the district courts and any circuit judge” to grant writs of habeas corpus “within their respective jurisdictions.” 28 U.S.C. § 2241(a). The Supreme Court has interpreted this to mean that, for habeas petitions challenging physical confinement, jurisdiction lies in only one district: the district of confinement. *Rumsfeld v. Padilla*, 542 U.S. 426, 442-43 (2004).

Because Petitioner is challenging his physical confinement, this case must be transferred to the Eastern District of North Carolina.

Insofar as Petitioner is challenging rulings in *Scholl v. Mnuchin*, he may file a letter in that case explaining what ruling or rulings he is challenging.

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The Clerk of the Court shall terminate any pending motions and transfer this case to the Eastern District of North Carolina.

Dated: May 5, 2021


KANDIS A. WESTMORE
United States Magistrate Judge